

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

LG DISPLAY CO., LTD.,

Plaintiff,

v.

CHI MEI OPTOELECTRONICS  
CORPORATION, et al.

Defendants.

Civil Action No. 06-726 (GMS)

Civil Action No. 07-357 (GMS)

**CONSOLIDATED CASES**

**LG DISPLAY CO., LTD.'S ANSWERING BRIEF IN OPPOSITION TO  
CHI MEI OPTOELECTRONICS CORPORATION'S MOTION TO DISMISS  
FOR LACK OF PERSONAL JURISDICTION AND  
FOR INSUFFICIENCY OF SERVICE OF PROCESS**

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As fully set forth in LG Display Co., Ltd.'s ("LGD") Answering Brief, filed May 22, 2007, in Opposition to CMO's Motion to Dismiss for Lack of Personal Jurisdiction and for Insufficiency of Service of Process (D.I. 57), the Declaration of Lora A. Brzezynski (D.I. 60), the Declaration of Michael R. Tierney, Jr. (D.I. 58), the Declaration of Lewis W. Hyden, II (D.I. 59), and LGD's Answering Brief, filed September 17, 2007, in Response to CMO's Motion to Dismiss for Lack of Personal Jurisdiction and for Insufficiency of Process (D.I. 141), all of which are incorporated by reference as if fully rewritten herein, Chi Mei Optoelectronics Corporation's motion to dismiss should be denied. Like its prior motions to dismiss for lack of personal jurisdiction in this case, CMO's motion lacks all merit, ignores Federal Circuit precedent, and misstates the facts about CMO's extensive contacts with the United States and this forum.

CMO's motion to dismiss for insufficiency of service of process should also be denied because, as explained in LGD's oppositions to CMO's motion to dismiss (D.I. 57, 141), LGD properly served and joined CMO as an opposing party to both Civil Action No. 06-726 ("06-726 Action"), filed originally by LGD in this Court on December 1, 2006, and Civil Action No. 07-357 ("07-357 Action"), originally filed by AU Optonics Corporation on March 8, 2007 in the Western District of Wisconsin and then transferred to this Court and consolidated with the 06-726 Action. Therefore, LGD properly served the subsequent counterclaims stemming from the 07-357 Action that are the subject of the instant motion on CMO's counsel of record on March 13, 2008.

As an additional matter, CMO fails to provide any factual basis for its service of process argument. In its opening brief, CMO incorporates only the facts and arguments from its Motion to Dismiss the 06-726 Action, which predates the circumstances of

LGD's claims stemming from the 07-357 Action claims at issue here. CMO fails to explain why such arguments should apply to the facts relevant to LGD's 07-357 Action claims. Indeed, CMO does not include a single fact regarding LGD's initial service of process on CMO in the 07-357 Action or LGD's later service of the counterclaims that are the subject of the instant motion. Pursuant to Local Rule 7.1.3(c)(2), CMO may not remedy these deficiencies in its Reply.

### **CONCLUSION**

For the foregoing reasons, this Court should deny CMO's motion to dismiss for lack of personal jurisdiction and insufficiency of service of process.

April 7, 2008

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### CERTIFICATE OF SERVICE

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